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**FACSIMILE COVER SHEET**

DATE: SEPTEMBER 16, 2005

NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET): 15

TIME: 5:00

OUR REFERENCE: 216180

FROM: KURT T. BUECHLE  
REGISTRATION NO. 54,011

TO: MAIL STOP AMENDMENTS  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

FACSIMILE NUMBER: 571-273-8300

IN RE APPLN. OF: GRABOWSKI ET AL.  
APPLICATION NO. 10/088,966

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**SEP 19 2005**

ITEMS: 1. AMENDMENT TRANSMITTAL IN DUPLICATE (2 PAGES)

ITEMS: 2 REPLY TO OFFICE ACTION (12 PAGES)

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FORM PTO-1005

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NO. 7102 P. 2 PATENT  
Attorney Docket No. 216180  
Date: September 16, 2005

SEP 16 2005

In re Application of: Grabowski et al.

Application No. 10/088,966

Filed: March 22, 2002

For: NUCLEIC ACID MOLECULES FOR THE DETECTION OF BACTERIA AND PHYLOGENETIC UNITS  
OF BACTERIA

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a response to an office action in the subject application.

☐ Small entity status is claimed for this application under 37 CFR 1.27.

☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

☐ Other: Return Receipt Postcard

☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			one-month		\$ 0.00		\$120.00	
	subtract time extension fee previously paid		none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	21	MINUS	21	= 0	x 25=	\$	x 50=	\$0.00
INDEPENDENT	4	MINUS	3	= 1	x 100=	\$	x 200=	\$200.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180=	\$	+ 360=	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$320.00

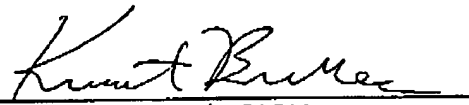
☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,  
LEYDIG, VOIT & MAYER, LTD.

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By   
Kurt T. Buechle, Reg. No. 54,011

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/088,966

Applicant: Grabowski et al.

Filed: March 22, 2002

TC/AU: 1637

Examiner: Calamita, H.

Docket No.: 216180 (Client Reference No. PA30882USFZ015pau)

Customer No.: 23460

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


## REPLY TO OFFICE ACTION

Sir:

In reply to the Office Action dated May 16, 2005, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Kurt T. Buechle		
Signature		Date	September 16, 2005

09/19/2005 HLE333 00000042 121216 10088966

01 FC:1201 200.00 DA

09/19/2005 HLE333 00000042 121216 10088966

02 FC:1251 120.00 DA